

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

STEVEN MUNGER, as Personal
Representative of the Estate of Matthew
Munger,

Plaintiff,

v.

UNITED STATES OF AMERICA,
et al.,

Defendants.

C19-5571 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) Plaintiff indicated in his response, docket no. 109, to defendant Don Cianci Properties, LLC's ("Don Cianci's") motion for summary judgment, docket no. 94, that he "will move the Court for relief from the prior expert disclosure deadline" so that he can retain a medical billing expert. Resp. at 5 (docket no. 109). As of the date of this Minute Order, plaintiff has not submitted a motion for the Court's consideration. Plaintiff is DIRECTED, on or before August 5, 2022, to file any such motion and note the motion for August 10, 2022. Any responses are due by noon on August 10, 2022. No reply shall be filed. Plaintiff shall promptly notify the Court if he no longer intends to file such motion.

(2) Plaintiff is further DIRECTED, on or before August 8, 2022, to submit an offer of proof describing the nature, extent, and amount of all economic damages plaintiff seeks to recover in this action. The offer of proof shall address any medical expenses plaintiff alleges are reasonable and necessary. See *Patterson v. Horton*, 84 Wn. App. 531, 543, 929 P.2d 1125 (1997).

(3) Oral argument (to be conducted in person, at the United States Courthouse in Seattle) on defendant United States' motion to exclude the expert opinion of Blair Pruitt, docket no. 92, and motion to dismiss, docket no. 89, and Don Cianci's motion for summary judgment, docket no. 94, is SET for Thursday, August 11, 2022, at 10:00 a.m.

1 (4) The Clerk is directed to send a copy of this Minute Order to all counsel of
2 record.

3 Dated this 2nd day of August, 2022.

4 Ravi Subramanian
5 Clerk

6 s/Gail Glass
7 Deputy Clerk